

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

ATTY DOCKET NO.: 5051-538DV2

DATE: September 26, 2003

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER
AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))**



Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:

- ☐ a patent application
☐ a Continuation ☒ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior application no.: 10/284,784 filed October 31, 2002, which is a divisional application of prior application no. 09/871,541 filed May 31, 2001, which application claims the benefit of Provisional Application No. 60/261,109 filed January 12, 2001, the disclosures of which are incorporated herein by reference in their entirety.
☐ and claims the benefit of Provisional Application No. _____; filed _____.

Inventor(s) or Application Identifier:

Phillip E. Russell
Dieter P. Griffis
Juan Carlos Gonzales Perez

Entitled: **CHEMICALLY ENHANCED FOCUSED ION BEAM MICRO-MACHINING OF COPPER**

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
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Customer No. 20792

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 14 pages of Specification (including 12 claims)
3. ☒ 4 sheets of Formal Drawings (35 USC 113)
4. ☒ Oath or Declaration
 - a. ☐ newly executed (*original or copy*)
 - b. ☒ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 6 Below]
 - c. ☐ DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76
6. ☒ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

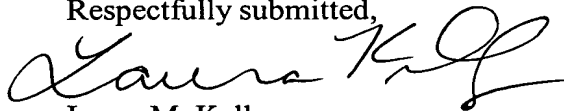
7. ☐ Microfiche Computer Program (*Appendix*)
8. ☐ Assignment papers (*cover sheet(s) and document(s)*)
9. ☐ Applicant claims small entity status. See 37 CFR § 1.27.
10. ☒ Information Disclosure Statement and PTO-1449
11. ☐ Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
12. ☐ English Translation Document
13. ☐ Certified Copy of Application No. ; Filed
14. ☐ Sequence Listing/ Sequence Listing Diskette
 - a. ☐ computer readable copy
 - b. ☐ paper copy
 - c. ☐ statement in support
15. ☐ An Associate Power of Attorney
16. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
17. ☒ Other: Remarks

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate Fee	Large Entity Rate Fee
BASIC FEE			\$375.00	\$ 750.00
TOTAL CLAIMS	12 - 20 =	0	x 09 = \$	x 18 = \$
INDEP CLAIMS	2 - 3 =	0	x 42 = \$	x 84 = \$
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 140 = \$	+ 280 = \$
If the difference in Col. 1 is less than zero, Enter "0" in Col. 2			Total \$	Total \$750.00

- ☒ A check in the amount of **\$750.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
- a. ☒ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
 - b. ☒ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,



Laura M. Kelley

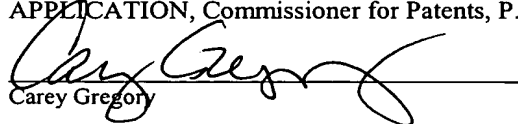
Registration No. 48,441

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EV 318420046 US

Date of Deposit: September 26, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



Carey Gregory

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Russell et al.

Serial No.: To Be Assigned

Filed: Concurrently Herewith

For: CHEMICALLY ENHANCED FOCUSED ION BEAM MICRO-MACHINING OF COPPER

September 26, 2003

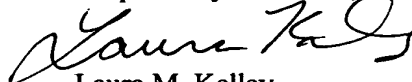
Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

REMARKS ACCOMPANYING FILING OF DIVISIONAL APPLICATION

Dear Sirs:

The present divisional application is being filed with Claims 22-28 and 30-34 (renumbered as Claims 1-12) from parent application U.S. Serial No.: 10/284,784 directed to non-elected inventions identified in the Restriction Requirement of the parent application, which has now been allowed. The Claim for Priority on page 1 of the Specification has been amended to include a claim for priority to the parent application. The Specification has been amended to include amendments made in the parent application to correct typographical errors. Favorable examination and allowance of the present divisional application is respectfully requested.

Respectfully submitted,



Laura M. Kelley

Registration No. 48,441

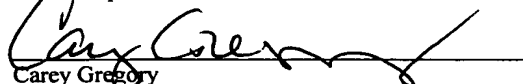
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Carey Gregory